

ATTACHMENT A

From: [Matthew Schmidt](#)
To: [Ken C. Stone](#)
Cc: [Jill Bindler](#); [Jerry E. Hawxhurst \(jerry@hawxhurstllp.com\)](#); [Stefan Savic](#); [Justin Loveland](#)
Subject: [EXTERNAL] Re: Partial production in Hubbard matter
Date: Thursday, April 04, 2024 3:41:52 AM
Attachments: [Outlook-nt4by2iv.png](#)

Ken:

I've been working with my discovery vendor, and while we were not able to finalize the reproduction today, I believe that we've worked out the final items and I'm speaking with them on Thursday morning to discuss; we should be able to make that production later in the day, followed by other documents as we discussed.

Best,
Matt



Matthew W. Schmidt
116A Main Street
Tiburon, California 94920
415.390.6075
matt@schmidtllc.com

From: Matthew Schmidt <matt@schmidtllc.com>
Sent: Wednesday, March 27, 2024 2:23:10 AM
To: Ken C. Stone <kstone@grayreed.com>
Cc: [Jill Bindler](#) <jbindler@grayreed.com>; [Jerry E. Hawxhurst \(jerry@hawxhurstllp.com\)](#) <jerry@hawxhurstllp.com>; [Stefan Savic](#) <ssavic@rsf-llp.com>; [Justin Loveland](#) <jloveland@rsf-llp.com>
Subject: Re: Partial production in Hubbard matter

Ken:

Thank you for your email and raising your points. Our production this evening did contain documents from Ms. Goedinghaus, and we are continuing to review and produce.

As noted in my cover letter, we are working to produce in the format and method you requested. I don't think you were on the call with Jerry, Jill, and me when we discussed

production a few weeks ago, but that is my standard practice and, even if you haven't requested it, it will make my and everyone's life easier as we proceed through the case.

While I cannot promise April 1, I am endeavoring to do so and I will update you as soon as I have a further update on timing.

Best,
Matt



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From: Ken C. Stone <kstone@grayreed.com>
Sent: Tuesday, March 26, 2024 2:44 PM
To: Matthew Schmidt <matt@schmidtllc.com>
Cc: Jill Bindler <jbindler@grayreed.com>; Jerry E. Hawxhurst (jerry@hawxhurstllp.com) <jerry@hawxhurstllp.com>
Subject: Partial production in Hubbard matter

We received a production on behalf of Ms. Hubbard early this morning. A brief review of the production reveals a host of issues.

From a brief review of the 5031-page document provided it is clear there are categories of documents and volumes of data which Ms. Hubbard has spent time organizing and providing to the teams writing her book, making a documentary about her life, and writing articles about her. What she has not done is spend adequate time to work with her counsel and discovery vendor to properly collect, review and produce the relevant and responsive data in a federal lawsuit which she has filed.

As your production letter alluded, this initial production did not include metadata or a load file. The production also had other production protocol issues in that it did not include logical document breaks or attachments to all the emails. You had also previously mentioned that you were having trouble with some unexpected technical delays on your documents, and we aren't sure if that is with your discovery vendor or internally. If it is with a vendor, please have them advise us of what the source of the problems.

Emails should have been collected electronically directly from the source, not forwarded to counsel. This method does not provide proper metadata. Attachments to emails should be included and follow the email they came from. Many of the documents contain references to the use of drop box and other shared drive technology such as google drives. In some instances, the documents have active links. We expect prompt production of the documents being maintained on these links and/or drives. If your client has had time to organize and share this data with a ghostwriter, film production company and others, then she had had time to work with your discovery vendor to have them properly collect that data as well.

We expect a prompt reproduction of today's data which was properly collected and

produced in keeping with our Requests for Production and what is expected by current discovery rules. Your discovery vendor should be able to provide metadata tying the missing attachments to the already produced emails. Paragraph 11-24 of our Requests for Production outlines the production requirements. We expect them to be adhered to.

We did not receive a production on behalf of Ms. Goedinghaus.

Please let us know if you can't make a full production of all of the responsive material (including videos) in the proper format by Monday, April 1, 2024.

Thank you.

Ken C. Stone

Partner

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